



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 03-1106)

Handwritten: \$ 3624

The Application of:

Friesen et al.

Serial No. 09/289,550

Filed: April 9, 1999

For: User Interface for an Electronic Trading  
System

Group Art Unit: 3624

Examiner: Kyle

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**TRANSMITTAL LETTER**

In regard to the above identified application:

1. We are transmitting herewith the attached:


- A. Information Disclosure Statement
- B. Form PTO 1449
- C. Cited References
- D. Return Receipt Postcard.

2. With respect to additional fees, attached is a check in the amount of \$180.00.

3. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned also hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this 22nd day of March 2005.

By:

  
Matthew J. Sampson  
Reg. No. 35,999



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 03-1106)

PATENT

|  |   |                        |
|--|---|------------------------|
| In the Application of:                                 | ) |                        |
|  | ) |                        |
| Richard W. Friesen et al.                              | ) | Art Unit: 2164         |
|  | ) |                        |
| Serial No. 09/289,550                                  | ) |                        |
|  | ) | Examiner: Charles Kyle |
| Filed: April 9, 1999                                   | ) |                        |
|  | ) |                        |
| Title: User Interface for an Electronic Trading System | ) |                        |
|  | ) |                        |

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

03/28/2005 MWOLDGE1 00000015 09289550

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Dear Sir:

Pursuant to 37 C.F.R. Section 1.97-1.98, and in accordance with the duty of candor set forth in 37 C.F.R. §1.56, applicants wish to make the following references of record in the above-identified application. Copies of the references cited below are enclosed along with a copy of completed PTO Form-1449 and fee pursuant to 37 C.F.R. § 1.97 (c) and 1.17(p).

**I. DOCUMENTS**

1. APT Brochure, LIFFE Exchange, circa 1990\*
2. Trading Screen, INTEX of Bermuda, circa 1984\*
3. Weber, Information Technology in the Major International Financial Markets, April 7, 1993
4. Trading Screen, TIFFE Exchange, circa 1989-1990\*
5. Trading Screen, MEFF Exchange, circa 1990\*
6. Cavaletti, Order Routing Article, Futures Magazine, February 1997
7. Aurora Article, CBOT, circa 1989\*
8. One Click Trading Options, Trading Technologies, circa 1998
9. Trading Screen, SWX Exchange, circa 1990\*
10. Expanding futures and options trading around the world, around the clock, GLOBEX, circa 1989\*

11. Hansell, The computer that ate Chicago, Institutional Investor, February 1989
12. Globex Report: An update on the CME Global electronic exchange, February 10, 1989
13. NYMEX Access Documents, New York Mercantile Exchange, February 28, 1992
14. CATS Traders' Manual, Toronto Stock Exchange, September 30, 1977
15. Market Watch, Trading Screen, date not available
16. Grummer, Peake, Sellers, Preliminary Feasibility Study, Bermudex Ltd., November 1980
17. Peake, Mendellson, The ABCs of trading on a national market system, Appendix C of Preliminary Feasibility Study, Bermudex Ltd., September 1997
18. Peake, The last 15 meters, Appendix E of Preliminary Feasibility Study, Bermudex Ltd., June 15, 1997

## **II. DISCUSSION**

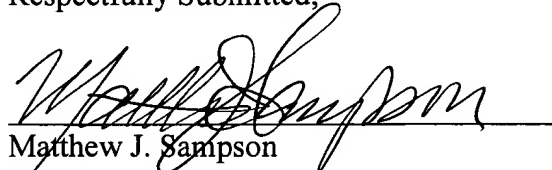
Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-98, the Applicants wish to make the foregoing references of record in the above-identified application. These references were raised in connection with ongoing litigation involving U.S. Patents Nos. 6,766,304 and 6,772,132, which are commonly owned by Trading Technologies International Inc., in a lawsuit bearing the caption Trading Technologies International Inc. v. eSpeed Inc., Docket No. 04 C 5312, United States District Court for the Northern District of Illinois. Despite Applicants' belief that some or all of these references are cumulative of what may have already been cited, out of an abundance of caution Applicants are submitting these references.

No representation is intended as to the relative importance of any portion of the references, and this statement is not a representation that the cited references even constitute "prior art" within the meaning of 35 U.S.C. sections 102 or 103 nor as an admission that the information is considered to be material to patentability. It should be noted that the dates associated with those references marked with an asterisk ("\*") are as provided by the Defendant eSpeed, Inc. in the above-referenced litigation. Applicants make no representation regarding the accuracy of these dates. Applicants submit that these documents, whether taken alone or in

combination with others previously of record, fail to show or suggest the claimed subject matter.

Applicants request that the Examiner consider the entirety of the documents and make them of record in this application.

Respectfully Submitted,



Matthew J. Sampson  
Reg. No. 35,999

Date: March 22, 2005

FORM PTO-1449  
(Rev. 2-32)

U.S. Department of Commerce  
Patent and Trademark Office

Atty. Docket No.

Serial No.

03-1106

09/289,550



INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)

Applicant:

Friesen et al.

Filing Date:

4/9/1999

Group:

2164

U.S. PATENT DOCUMENTS

| Examiner Initial | Document Number | Date | Name | Class | Subclass | Filing Date if Appropriate |
|------------------|-----------------|------|------|-------|----------|----------------------------|
|                  |                 |      |      |       |          |                            |
|                  |                 |      |      |       |          |                            |
|                  |                 |      |      |       |          |                            |

FOREIGN PATENT DOCUMENTS

| Document Number | Date | Country | Class | Subclass | Translation |    |
|-----------------|------|---------|-------|----------|-------------|----|
|                 |      |         |       |          | Yes         | No |
|                 |      |         |       |          |             |    |
|                 |      |         |       |          |             |    |
|                 |      |         |       |          |             |    |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

|  |   |
|--|---|
|  | APT Brochure, LIFFE Exchange, circa 1990*   |
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|  | Trading Screen, TIFFE Exchange, circa 1989-1990*  |
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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

**FORM PTO-1449**  
(Rev. 2-32)

**U.S. Department of Commerce**  
**Patent and Trademark Office**

**Atty. Docket No.**

03-1106

**Serial No.**

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|  | Trading Screen, SWX Exchange, circa 1990*  |
|  | Expanding futures and options trading around the world, around the clock, GLOBEX, circa 1989*  |
|  | Hansell, The computer that ate Chicago, Institutional Investor, February 1989  |
|  | Globex Report: An update on the CME Global electronic exchange, February 10, 1989  |
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|  | Peake, The last 15 meters, Appendix E of Preliminary Feasibility Study, Bermudex Ltd., June 15, 1997   |
|  | Declaration of Brendan Bradley in Case No. 04 C 5312, November 18, 2004  |
|  | Memorandum Opinion Published February 9, 2005, of Judge James B. Moran in Case No. 04 C 5312   |

EXAMINER

DATE CONSIDERED

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